

# Contemporary Issues on Matrimonial Property

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Edited by:  
Zuhairah Ariff Abd Ghadas  
Norliah Ibrahim

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# **CONTEMPORARY ISSUES ON MATRIMONIAL PROPERTY**

*Edited by:*

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# **GUARDIANSHIP OF A CHILD'S PROPERTY ACQUIRED *VIA* SUCCESSION: A MALAYSIAN PERSPECTIVE**

*Akmal Hidayah Halim*

### **5.0 INTRODUCTION**

Guardianship is a management by an adult of a child and his property. The guardianship of a child's property becomes an issue where the child acquires significant assets particularly through succession to the deceased's estate *via* testamentary succession under the deceased's will or succession by operation of law. The guardian is responsible for managing the child's property honestly and in his best interests, using it to pay for normal living expenses, health and education. A guardian is a fiduciary and is subject to a very high standard of care in exercising his powers. However, there are cases where the guardian fails to discharge his duties accordingly and wastes or mismanages the child's property causing financial loss to the latter's property.

Hence, this chapter will focus on the guardianship of a child's property giving emphasis on the rights of a child to property and the guardianship over his property throughout his minority. The guardianship